

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF TENNESSEE**  
**AT KNOXVILLE**

CHARLOTTE HERRON, )  
Plaintiff, )  
v. ) No. 3:07-cv-137  
MICHAEL J. ASTRUE, Commissioner ) (Phillips/Guyton)  
of Social Security, )  
Defendant. )

**ORDER**

On August 4, 2008, the Honorable H. Bruce Guyton, United States Magistrate Judge, issued a Report and Recommendation (“R&R”) [Doc. 23], in which he recommended that plaintiff’s Motion for Attorney’s Fees Pursuant to the Equal Access to Justice Act 28 U.S.C. Subsection 2412 [Doc. 21] be granted, due to the government’s concession that its position was not substantially justified. The deadline for timely objections has passed with no such objections having been filed. Accordingly, the R&R is **ACCEPTED IN WHOLE**, which the court adopts and incorporates into this ruling. Plaintiff’s Motion for Attorney’s Fees Pursuant to the Equal Access to Justice Act 28 U.S.C. Subsection 2412 [Doc. 21] is **GRANTED**, whereby plaintiff is awarded attorney’s fees in the amount of \$3,159.00.

**IT IS SO ORDERED.**

**ENTER:**

\_\_\_\_\_  
s/ Thomas W. Phillips  
United States District Judge